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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,082	05/11/2001	James Larson	36760	6992

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EXAMINER

ADDIE, RAYMOND W

ART UNIT	PAPER NUMBER
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3671

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,082

Applicant(s)

LARSON, JAMES

Examiner

Raymond W. Addie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Objections

1. Claims 1-3, 12 are objected to because of the following informalities:

Claim 1, ln. 3, the phrase "vehicle ," should be --vehicle,--.

Claim 2, ln. 5, the phrase "frame supports"; should be --roof supports-- to be consistent with ln. 4 of claim 2.

Claim 3, ln. 1, the phrase "deck plage"; should be --deck plate--.

Claim 12, ln. 2, the phrase "said horizontal plate" should be --a horizontal plate--; since neither claims 11, 10 nor 6, from which claim 12 depends, recite a "horizontal plate".

If the "said horizontal plate" refers back to "a horizontal plate" as recited in Claim 8, then Claim 12 should depend as such.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pell et al. # 6,055,692 in view of harder # 4,553,720.

Pell et al. discloses a boarding ramp (10) for ingress and egress of passengers,

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at ground level to an aircraft door sill that is at a different height from the level of the ground. Said boarding ramp comprising:

At least one corridor unit (12, 14, 16) having its rear end abuttable to a vehicle or airport terminal at an exit thereof; and

A gang way (100) at a forward end (96) of said boarding ramp (10).

Wherein a plurality of corridor units are arranged end to end in series, each corridor unit being formed of at least two sections, see Fig. 3, unit 14 is illustrated as having 3 sections, each section having a U-shaped frame, which is provided with: A pair of transversely separated legs (22); A connecting roof support (20) and a flooring brace (26, 48), at the lower end of the vertical legs (22); on which a deck (18) is located. Further wherein the roof supports (22) and flooring braces (26) of one section being at a level different from roof supports and flooring braces (48) of the other sections allowing said sections to be telescoped one within the other, when in the retracted or storage position.

See Figs. 1, 3-6, 9, 10; col. 4, ln. 32-col. 5, ln. 24.

What Pell et al. does not disclose is providing a selectively inclinable gangway. However, Harder teaches it is desirable to provide aircraft passenger bridges with selectively incline able gangways (8/9) that are adapted to the threshold of the door of the aircraft. See col. 2, ln. 49-col. 3, ln. 51. Therefore, it would have been obvious to provide the boarding ramp of Pell et al., with an inclinable gangway, as taught by Harder, in order to accommodate aircraft of differing heights and angular disposition, relative to the horizontal.

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In regards to claims 3-5 Pell et al. discloses that transitional deck plates (34, 59) extend from an end of each of said corridor units, and are pivotally connectable to the next corridor unit in said series to permit passengers to traverse thereover. See col. 5, Ins. 25-28; col. 6, Ins. 4-8. Pell et al. further discloses the use of roller means (36, 60) able to be selectively moved over the ground between said ground exit of said terminal or vehicle and the aircraft. See col. 5, In. 33-col. 6, In. 8. Pell et al. also discloses the use of a protective covering (5) for sheltering said passengers. See col. 4, Ins. 60-62.

In regards to Claims 6, 7 Pell et al. discloses the at least one corridor unit comprises a decking (18) permitting the passengers to walk thereon, as well as, an elongated frame open at each end and said gangway (100) is housed in a corridor unit (96) of increasing height from said at least one corridor unit to encompass the height of the aircraft door. What Pell et al. does not disclose is the use a pivot able gangway. However, Harder teaches it is desirable to provide a gangway (8/9) that is pivotally attached at a rear end to the lower end (21) of an aircraft passenger bridge (3) at its rear open end and is pivoted with means (11, 14, 15, 20) for elevating the gangway at its forward end to the height of the door sill of the aircraft. See col. 3 in its entirety. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the boarding ramp of Pell et al., with an inclinable gangway, as taught by

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Harder, in order to accommodate "different possible positions of the aircraft relative to the terminal"; as taught by Harder, on col. 2, Ins. 21-35.

In regards to Claims 8, 9 Pell et al. discloses a boarding ramp (10) having a covered gangway (100) but does not disclose the use of an extendable horizontal plate. However, Harder teaches it is desirable to provide aircraft passenger boarding bridges with an inclined floor (8/9) having a horizontal plate (6) at a forward end, said plate being selectively extendible outward of its front end to form a transition floor from said gangway to said aircraft. And also discloses the horizontal plate (6) and a canopy (5) are freely movable via guide means (unnumbered) such that said plate and canopy (5) are permitted movement and effect sealing with the convex contour of the body of the aircraft, around the doorway. See col.2, Ins. 58-65.

3. Claims 1, 6, 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over anticipated over Campbell # 2,470,337 in view of Gary # 5,105,915.

Campbell discloses an extensible canopy (10) forming a protective passageway for permitting loading of passengers from the ground exit of an airport terminal or vehicle, to commuter aircraft, that have a door sill at a different height from the level of the terminal or vehicle; said canopy comprising:

At least one corridor unit (10) see fig. 1, having a U-shaped frame with a pair of

transversely separated legs (1), and being abutable to the terminal or vehicle at the ground level exit thereof; and a forward end is provided with a gangway (4), in the form of a fixed staircase. See col. 3. What Campbell does not disclose is the use of a height adjustable gangway. However, Gary discloses gangway (10) for elevating and/or lifting wheelchairs to an raised level. Said gangway (10) comprising a plurality of floor panels (20, 30, 34). Said floor panels (30, 34) being selectively inclinable between a lower, ground level elevation and a raised elevation. See Col. 1, Ins. 12-14; Fig. 2, 4. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the aircraft boarding ramp of Campbell, with an inclinable wheel chair ramp, as taught by Gary, in order to facilitate wheelchair passenger entry/exit of aircraft.

In regards to Claims 6, 10-12 Campbell discloses the at least one corridor unit comprises an elongated frame open at each end and said gangway is housed in a corridor unit of increasing height from said at least one corridor unit to encompass the height of the aircraft door. What Campbell does not disclose is the use of a height adjustable gangway. However, Gary discloses gangway (10) for elevating and/or lifting wheelchairs to an raised level. Said gangway (10) comprising a plurality of floor panels (20, 30, 34), which are selectively inclinable between a lower, ground level elevation and a raised elevation. Gary further discloses the use of a reversible motor and transmission means in the form of an

electric motor, a hydraulic pump, 2 hydraulic cylinders (76), and a pair of scissor levers (50) and are disposed beneath the gangway for maximum compactness and corresponding increasing versatility. Wherein the scissor levers are attached to each side of the corridor frame (60), via a plurality of guides (23, 25, 27 in said frame (60) at the lower ends thereof and movable in said guides by the transmission means. Further wherein said scissors are attached to a horizontal plate (30), which is pivotally attached to the end of said gangway (20). Whereby the movement of said transmission is directed to both the horizontal plate and said gangway at the same time. See Col. 5.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the aircraft boarding ramp of Campbell, with an inclinable wheel chair ramp, as taught by Gary, in order to facilitate wheelchair passenger entry/exit of aircraft.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Saunders et al. # 4,161,049 discloses a passenger loading bridge. Meyers et al. # 3,964,118 discloses a cargo transfer vehicle for aircraft. Thaxton, Jr. # 2,828,757 discloses a collapsible passageway. Xenakis et al. # 3,683,440 discloses an automatic terminal bridge control system. Carder # 3,944,096 discloses a freight transporter and loader for aircraft. Larson # 5,603,343 discloses a passageway for loading aircraft. Goodhart et al. #


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3,687,321 discloses a load carrying vehicle for aircraft. Yde et al. # 5,137,114 discloses a stair ramp. Stine # 3,845,591 discloses an expandable cover system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond W. Addie whose telephone number is 703 305-0135. The examiner can normally be reached on 8-2, 6-8.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 703 308-3870. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Raymond Addie
Patent Examiner
Group 3600

9/1/04